

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 14370 of 2023

Applicant :- Vishal Rao Chandel

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Home Lko.

Counsel for Applicant :- Brij Mohan Sahai, Indra Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Brij Mohan Sahai, the learned counsel for the applicant as well as Sri Pragya Nand Rai, the learned A.G.A. for the State and perused the record.
2. The instant application has been filed seeking release of the applicant on bail in Case Crime No. 377 of 2023, under Section 406, 420, 409, 504, 506, 467, 468, 471, 120-B I.P.C., registered at Police Station Satrikh, District Barabanki.
3. The aforesaid case has been registered on the basis of F.I.R. lodged on 18.09.2023 against three persons, including the applicant, stating that the informant had made some business transactions with Stallion Infra Developers Pvt. Ltd. since the year 2016, as an associate of the aforesaid company but he was not paid the due returns. Some other allegations have also been levelled in the F.I.R but the affidavit of the informant Pawan Singh given to the investigating officer has been annexed with the affidavit as Annexure No. 7 wherein he has stated that the disputes between the informant and accused persons stand resolved through settlement and he does not want any proceedings to be continued in this matter.
4. The applicant's involvement in five other cases have been disclosed in para 17 of the affidavit filed in support of the bail applicant, in two of which the applicant has been granted bail.
5. A supplementary affidavit has been filed on behalf of the applicant disclosing his involvement in another case, in which the investigating officer has submitted a final report.
6. The learned counsel for the applicant has submitted that both the other co-

accused persons, namely, Sohail Khan and Anirudh Narayan have been granted anticipatory bail in the present case.

7. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

8. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the dispute between the parties predominantly appears to be commercial in nature which stands resolved and without making any observations which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail in the present case also.

9. Accordingly, this bail application stands **allowed**.

10. Let the **applicant- Vishal Rao Chandel** be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions: -

(i) the applicant shall not tamper with the prosecution evidence;

(ii) the applicant shall not pressurize the prosecution witnesses;

(iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi,J.)

Order Date :- 6.12.2023

Preeti.